

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

UNITED STATES OF AMERICA)
) Case No. 1-10-CR-91
v.)
) Chief Judge Curtis L. Collier
ANTHONY RUSSELL)
)

ORDER

Magistrate Judge Susan K. Lee filed a report and recommendation (“R&R”) recommending the Court: (1) grant Defendant Anthony Russell’s (“Defendant”) motion to withdraw his not guilty plea to Counts One, Two and Three of the three-count Indictment; (2) accept Defendant’s plea of guilty to Counts One, Two and Three of the Indictment; (3) adjudicate Defendant guilty of the charges set forth in Counts One, Two and Three of the Indictment; and (4) find Defendant shall remain in custody until sentencing in this matter (Court File No. 16). Neither party filed a timely objection to the R&R. After reviewing the record, the Court agrees with the magistrate judge’s R&R. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge’s R&R (*id.*) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

- (1) Defendant’s motion to withdraw his not guilty plea to Counts One, Two and Three of the Indictment is **GRANTED**;
- (2) Defendant’s plea of guilty to Counts One, Two and Three of the Indictment is **ACCEPTED**;
- (3) Defendant is hereby **ADJUDGED** guilty of the charges set forth in Counts One, Two and Three of the Indictment;

(4) Defendant **SHALL REMAIN** in custody until sentencing in this matter which is scheduled to take place on **Friday, December 3, 2010 at 9:00 a.m. [EASTERN]** before the Honorable Curtis L. Collier.

SO ORDERED.

ENTER:

/s/

CURTIS L. COLLIER
CHIEF UNITED STATES DISTRICT JUDGE